## IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

ADENIKE ADEBIYI,	)
Plaintiff,	)
vs.	) Case No. 08 CV 1996
WARNER BIEDENHARN AND CVS PHARMACY AND CHICAGO HEIGHTS POLICE DEPARTMENT, OFFICER TOM ROGERS OF CHICAGO HEIGHTS POLICE DEPARTMENT, MR. TIMOTHY FELGENHAUER STATES ATTORNEY	) Judge Coar ) Magistrate Judge Schenkier )

Defendants.

## MOTION FOR EXTENSION OF TIME TO ANSWER OR OTHERWISE PLEAD

Defendants, WARNER BIEDENHARN and CVS PHARMACY, by and through its attorneys, Richard J. Keating, Jr. of SWANSON, MARTIN & BELL, LLP and move this Honorable Court for an extension of time to answer or otherwise plead to plaintiff's complaint, up to and including September 25, 2008.

WHEREFORE, defendants, WARNER BIEDENBARN and CVS PHARMACY, respectfully request that this Court grant an extension of time to answer or otherwise plead to plaintiff's complaint, up to and including September 25, 2008.

WARNER BIEDENBARN and CVS PHARMACY

By: /s/ Richard J. Keating, Jr.
One of their Attorneys

Robert J. Meyer Richard J. Keating, Jr. (ARDC#6229550) SWANSON, MARTIN & BELL, LLP 330 N. Wabash Avenue, Suite 3300 Chicago, IL 60611 312-321-9100 312-321-0990 Fax

## **CIVIL COVER SHEET**

The civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form isrequired for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON THE REVERSE OF THE FORM.)

Adenike Adeblyi  (b) County of Residence of First Listed Plaintiff' (EXCEPT IN ILS. PLANTIFF CASES)  (c) Antonoy's (Firm Name, Address, and Telephone Number)  Craig R. Houser, Grabowskilk Greene 2800 S. River Rd., Sulta 410, Des Plaines, IL 60018 (847) 344  (847)	A DE ANDEREO		J1411.)		I DEFENDAN	tono		
Police Department, Officer Tom Rogars of Chicago Heights Police Department, Mr. Timothy Expenditure, Mr. Timothy Expen	(a) PLAINTIFFS				DEFENDANTS Officer Warner Biedenhard and CVS Pharmacy and Chicago Heights			
(EXCEPT IN U.S. PLAINTIFF CASES)  NOTE: INLAND CONDEARMATION CASES USE THE LOCATION OF THE LAND DIVOLVEB.  (c) Alterney's (Firm Name, Address, and Telephone Number) Craig R. Houser, Grabowskid Greene 2800 S. River Rd., Suite 410, Dee Plaines, I. 60018 (647) 3343  II. B. ASIS OF JURISDICTION (Piece in "Y" in One Box Only)  11 U.S. Government Plaintiff  22 U.S. Government Defendant (V. Government Defendant III. CHTIZENSHIP OF PRINCIPAL PARTIES(Fisee in "X" in One Box Only) (V. College, In Internal Operation Internal Operat	Adenike Adebiyi				Police Department, Officer Tom Rogers of Chicago Heights Police			
(c) Atterney's (Firm Name, Address, and Telephone Number) Cruig R. Houser, Grabowskik Greene 2000. Silver Rd., Suite of 10, Dee Plaines, IL 60018 (847) 33.54  II. BASIS OF JURISDICTION (Place on "X" in One Box Only)  II. U.S. Government Defondant    Vision of Another State   Vision of Subject of a   3   5   5	(b) County of Residence o	f First Listed Plaintiff			County of Reside	ence of First Listed Defendant		
(c) Attorney's (Firm Name, Address, and Telephone Number) Craig R. Houser, Grabowskik Greene 2800 S. River Rd., Suite 410, Dee Plaines, IL 60018 (847) 343 H.  II. BASIS OF JURISDICTION (Piece an "X" in One Box Only)  III. U.S. Government Plaintiff  1 U.S. Government Defendant			CASES)			•	*	
Craig R. Houser, Grabowski & Greene   2800 S. River Rd., Suite 410, Dee Plainte, it. 60018   300 N. Wabeah Ave., Suite 3300, Chicago, It. 60611   (312) 321-4100   (312) 321-4								
22 U.S. Government   Defendent   Contract	(c) Attorney's (Firm Name	e, Address, and Telephone N	Jumber)					
(847) 3444  (847) 3444  (847) 3444  (848) 345 OF JURISDICTION (Place an "X" in One Box Only)  1 U.S. Government	•							
U.S. Government   Sa Federal Question (U.S. Government Not a Party)   Citizen of This State	(847) 3434				(312) 321-9100			
U.S. Government   Defendant	II. BASIS OF JURISD	OICTION (Place an "X"	in One Box Only)		Diversity Cases Only)		and One Box for Defendant)	
Defendant   Chidret Citizership of Parties in Item III)   Contract   Chizzen or Subject of a	1		nent Not a Party)	Citize	The second secon	1 Incorporated or	Principal Place 4 4	
IV. NATURE OF SUIT   (Place an "X" in One Box Only)   FORT   FO		Defendant (Indicate Citizenship of Parties		Citize				
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15 Recovery of Overpayment   20 Assault, Libel & Slander   30 Equor Laws   30 Liquor Laws		315 Airplane Product	Med. Malpractice	:   □6	25 Drug Related Seizure	423 Withdrawal		
Isl Medicare Act   Size Recovery Of Defaulted   Liability   Size Recovery Of Overpayment   Size Recovery O	150 Recovery of Overpayment	320 Assault, Libel &	Product Liability	🗀 6	30 Liquor Laws		460 Deportation	
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195 Contract Product Liability   369 Other Poster Liability   369 Property Damage   195 Contract Product Liability   369 Property Damage   195 Contract Product Liability   369 Other Personal Inj.   190 Empl. Real Liability   360 Other Personal Inj.   190 Empl. Real Liability   360 Other Personal Inj.   190 Empl. Reporting   360 Other Personal Inj.   190 Empl. Reporting   360 Other Personal Inj.   190 Empl. Reporting   360 Exemption of Information Act   360 Diw/CDIWW (405(g))   364 SIDI Title XVI   365 Diw/CDIWW (405(g))   365 Diw/CDIWW (4					LABOR	SOCIAL SECURITY		
196 Franchise	190 Other Contract	355 Motor Vehicle	Property Damage		10 Fair Labor Standards	■861 HIA (1395ff)	12 USC 3410	
REAL PROPERTY	<b>□</b>			I		862 Black Lung (923)		
210 Land Condemnation   220 Forecosure   220 Forecosure   220 Forecosure   242 Employment   243 Housing   244 Employment   245 Tort Product Liability   250 All Other Real Property   245 Tort Product Liability   250 All Other Real Property   245 Tort Product Liability   250 All Other Real Property   245 Tort Product Liability   250 All Other Real Property   245 Tort Product Liability   245 Tort Product Liability   245 Tort Product Liability   245 Tort Product Liability   245 AbA — Employment   245 Tort Product Liability   245 AbA — Other   250 Civil Rights   255 Prison Condition   245 Tort Product Liability   245 Land   245 Tort Product Liability   245 Land   245 Tort Product Liability   245 AbA — Other   250 Civil Rights   255 Prison Condition   250 Civil Rights   250 Constitutionality of State Statutes   250 Constitutionality of State State   250 Constitutional	REAL PROPERTY	CIVIL RIGHTS	PRISONER PETITI	ONS	•	864 SSID Title XVI		
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290 All Other Real Property	240 Torts to Land	Accommodations	530 General	□ <sup>7</sup>	90 Other Labor Litigation			
V. ORIGIN   Original   2 Removed from   3 Remanded from   4 Reinstated or   5 another district (specify)   6 Multidistrict   17 Magistrate Judgment   18 Magistrate   19 Magis				ner 🔲 7	91 Empl. Ret. Inc.	1971 IDS_Third Party		
VI. CAUSE OF ACTION (Enter U.S. Civil Statute under which you are filing and write a brief statement of cause.)  VII. REQUESTED IN COMPLAINT:  COMPLAINT:  COMPLAINT:  CHECK IF THIS IS A CLASS ACTION  COMPLAINT:  CHECK IF THIS IS A CLASS ACTION  CHECK IF THIS IS A CLASS ACTION  COMPLAINT:  CHECK IF THIS IS A CLASS ACTION  CHECK IF THIS IS A CLASS ACTION  COMPLAINT:  CHECK IF THIS IS A CLASS ACTION  CHECK IF THIS IS A CLASS ACT					Security Act		500 Otter Statutory Fections	
VI. CAUSE OF ACTION (Enter U.S. Civil Statute under which you are filing and write a brief statement of cause.)  VII. PREVIOUS BANKRUPTCY MATTERS (For nature of suit 422 and 423, enter the case number and judge for any associated bankruptcy matter perviously adjudicated by a judge of this Court. Use a separate attachment if necessary)  VIII. REQUESTED IN COMPLAINT:  UNDER F.R.C.P. 23  CHECK IF THIS IS A CLASS ACTION UNDER F.R.C.P. 23  DEMAND \$  CHECK YES only if demanded in complaint: UNDER F.R.C.P. 23  JURY DEMAND:  Yes No  SIGNATURE OF ATTORNEY OF RECORD	V. ORIGIN (PLAC	E AN "X" IN ONE BO	X ONLY)		_			
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VIII. REQUESTED IN COMPLAINT: CHECK IF THIS IS A CLASS ACTION DEMAND \$ CHECK YES only if demanded in complaint:  UNDER F.R.C.P. 23  JURY DEMAND: Yes No  IX. This case  Jis not a refiling of a previously dismissed action.  Jis a refiling of case number, previously dismissed by Judge  DATE  SIGNATURE OF ATTORNEY OF RECORD		a brief statement of ca	ruse.)		bankruptcy ma	tter perviously adjudicated by a		
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August 25, 2008 /s/ Richard J. Keating, Jr.	DATE				-			
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